

Melanie J. Vartabedian (#10148)
BALLARD SPAHR LLP
One Utah Center, Suite 800
201 South Main Street
Salt Lake City, Utah 84111-2221
Telephone: (801) 531-3000
Facsimile: (801) 531-3001
vartabedianm@ballardspahr.com

William P. Reiley (NJ # 128872014)
(admitted pro hac vice)
BALLARD SPAHR LLP
700 East Gate Drive, Suite 330
Mount Laurel, NJ 08054-0015
Telephone: (856) 761-3465
Facsimile: (856) 761-1020
reileyw@ballardspahr.com

*Attorneys for Defendants,
Vivint, Inc. and RS&I, Inc.*

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

**MARK FITZHENRY, individually and on
behalf of a class of all persons and entities
similarly situated,**

Plaintiffs,

v.

**VIVINT, INC., RS&I, Inc., and JOHN DOE
CORPORATION**

Defendants.

**STIPULATED NOTICE OF
DISMISSAL**

Case No.: 2:21-cv-00501-DAK-CMR

District Judge Dale A. Kimball

Magistrate Judge Cecilia M. Romero

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Mark Fitzhenry, by and through undersigned counsel, and Defendants Vivint, Inc. and RS&I, Inc., by and through undersigned counsel, hereby stipulate and agree that this matter shall be dismissed with prejudice, with each party to bear its own attorneys' fees and costs.

DATED this 3rd day of August 2022.

/s/ Melanie J. Vartabedian

Melanie J. Vartabedian, Esq.

William P. Reiley, Esq.

BALLARD SPAHR LLP

Attorneys for Defendants, Vivint, Inc. and RS&I, Inc.

/s/ Jonathan P. Misny

Jonathan P. Misny, Esq.

Brian K. Murphy, Esq.

Jared B. Pearson, Esq.

Attorneys for Plaintiff, Mark Fitzhenry